

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, May 11, 2010

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Thomas Kemp, Kerry Kincaid, David Klinkhammer, Mark Olson, Jackie Pavelski, Bob Von Haden, Thomas Vue, and Andrew Werthmann. Absent: Council Member Dana Wachs.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, May 11, 2010. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Balow “to adopt the consent resolution”. Said motion passed by unanimous vote.

PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, proclaimed May 16 – 22, 2010 as Emergency Medical Services Week in the City of Eau Claire.

Council President Kincaid, on behalf of the City Council, proclaimed May 17 - 21, 2010 as National Bike to Work Week and May 21, 2010 as Bike to Work Day in the City of Eau Claire.

Council President Kincaid displayed a plaque from the Wisconsin Asthma Coalition which Council Member Duax had received on behalf of the City Council, in recognition of the City’s early adoption of a smoke-free work-place ordinance.

Council President Kincaid, on behalf of the City Council, presented a plaque to Brandon Buchanan for his service on the City Council from 2006 – 2009.

FEMA GRANT

The Council considered a resolution accepting a \$22,425 grant from the Federal Emergency Management Agency. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

USE OF CITY FACILITIES

The Council considered a resolution authorizing the Eau Claire Parks and Recreation Department to conduct the Tri Eau Claire – Run/Ride/Row Event at the Hobbs Municipal Ice Center and along city waterways and roads on Saturday, August 7, 2010. Thereupon a motion was offered

by Council Member Olson and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

SALE OF CITY PROPERTIES

The City Council considered a resolution ratifying the sale of 310 Ninth Ave to Hoss Bros, LLC, the successful bidder. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Klinkhammer “to adopt said resolution”. Said motion passed by unanimous vote.

EASEMENTS

The Council considered a resolution accepting the conveyance of a permanent public sidewalk easement crossing Parcel 19 Plat of Otter Creek Preserve (3524 Ridgeway Drive). Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Olson recused himself from the chamber for the next agenda item.

Council Member Wachs arrived at the Council Chamber.

HEALTH INSURANCE

The Council considered a resolution extending the health insurance plan with Group Health for one year. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Olson returned to the Council Chamber.

Council Member Werthmann left the Council Chamber.

FISCAL POLICY ADVISORY COMMITTEE

The City Council considered a resolution extending the Fiscal Policy Advisory Committee for three years to April 2013. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Werthmann returned to the Council Chamber.

THORP DRIVE IMPROVEMENTS

The Council considered a final resolution approving the project and levying special assessments for street, utility, pedestrian, and lighting improvements on Thorp Drive, Summit Avenue to Gilbert Avenue (2010-214). Thereupon a motion was offered by Council Member Werthmann

and seconded by Council Member Klinkhammer “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden “to add a paragraph No. 9 to read as follows: The selection of the street lighting option (from options described in the "Report of the City Engineer") shall be approved by the City Council at a future date.”. Said motion to amend passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Olson, Pavelski, and Von Haden. Nay: Council Members Klinkhammer, Vue, Wachs, and Werthmann. The Council then voted on the resolution as amended. Said resolution was adopted passed by unanimous vote.

THORP DRIVE

The City Council considered an ordinance designating Thorp Drive, from Summit Avenue to Gilbert Avenue as Third Ward Commons in accordance with Wisconsin Statutes s. 66.0905. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow “that through-out the resolution delete the references to ‘Third Ward Commons’ and in place thereof insert the words ‘Thorp Commons’.” Said motion to amend passed by unanimous vote. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

Council Member Wachs left the Council Chamber.

ZONING

The Council considered an ordinance rezoning property located south of Rod and Gun Park and east of Park Ridge Drive from R-1 and R-3 to P-Public for a park as shown on Planning File #Z-1468-10. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden “to adopt said ordinance”. Said motion passed by unanimous vote.

Council Member Wachs returned to the Council Chamber.

CHICKENS

The City Council considered an ordinance creating Section 6.17 of the City Code of Ordinances entitled “Chickens” regarding the keeping and raising of chickens within the city limits. The Council had postponed consideration of this item at its April 27 meeting. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Olson “to indefinitely postpone consideration of said ordinance”. Said motion failed by the following vote: Aye: Council Members Balow, Duax, and Olson. Nay: Council Members Kemp, Kincaid, Klinkhammer, Pavelski, Von Haden, Vue, Wachs, and Werthmann. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Vue “to substitute the ordinance as revised by the ad hoc council committee for the original ordinance”. Said motion to substitute passed by the following vote: Aye: Council Members Balow, Kemp, Kincaid, Klinkhammer, Pavelski, Von Haden, Vue, and Werthmann. Nay: Council Members

Duax, Olson and Wachs. The Council continued with a lengthy discussion regarding the proposed ordinance. The Council then voted on the ordinance. Said ordinance was denied by the following vote: Aye: Council Members Von Haden, Vue and Werthmann. Nay: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Olson, Pavelski, and Wachs.

ANNEXATION

The Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 9th Assessment Ward, 5th Aldermanic District, that part of the NE ¼ - SE 1/4, of Section 14-27-10, Town of Union, Eau Claire County, as shown on Planning Drawing No. 10-4A (Buxton annexation petition, 2114 Preston Road,).

ZONING

The City Council had first reading on an ordinance rezoning property at 5551 E. Hamilton Avenue from TR-1A to R-1 as shown on Planning File #Z-1469-10.

ADJOURNMENT

A motion was offered by Council Member Olson and seconded by Council Member Vue “that this meeting does now adjourn.” Said motion passed by unanimous vote.

Adjournment: May 11, 2010

Time: 6:45 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk